



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

*In re:*

TOP LINE GRANITE DESIGN INC.,  
Debtor

Ch. 11  
22-40216-EDK

**Proceeding Memorandum and Order**

**MATTER:**

- #240 Motion of United States Trustee to Convert case to Chapter 7, or in the alternative, to Dismiss case
- #257 Response filed by Subchapter V Trustee
- #261 Statement in Support filed by Avidia Bank
- #262 Objection filed by Debtor
- #268 Brief of First Citizens Bank & Trust Company in Support of Motion to Convert
- #271 Objection filed by First Citizens Bank & Trust Company

**Decision set forth more fully as follows:**

The request to convert or dismiss this case is continued to May 25, 2023 at 9:00 a.m. in Worcester, Courtroom 3.

However, the Debtor is removed as a debtor in possession pursuant to 11 U.S.C. 1185(a) for the reasons stated in open Court at the hearing held this date. Accordingly, 11 U.S.C. 1183(b)(5) applies.

Dated: 4/28/2023

By the Court,

Elizabeth D. Katz  
United States Bankruptcy Judge